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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------|------------------|
| 10/021,316 | 10/22/2001 | Mark Lucovsky | 3100 | 9380 |
| 7590 | 05/10/2004 | | EXAMINER | |
| Law Offices of Albert S. Michalik, PLLC 704 - 228th Avenue NE Suite 193 Sammamish, WA 98074 | | | LEROUX, ETIENNE PIERRE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2171 | H |
| DATE MAILED: 05/10/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/021,316 | LUCOVSKY ET AL. |
| | Examiner Etienne P LeRoux | Art Unit 2171 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 October 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____ |

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The disclosure is objected to because of the following informalities:

Under the heading "Cross Reference to Related Applications" applicant states "The present application is related to United States Patent Application serial number ----- entitled Schema-Based Services for Identity-Based Data Access, filed concurrently herewith on October 22, 2001."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,983,234 issued to Tietjen et al (hereafter Tietjen).

Claim 1:

Tietjen discloses in a computer network, a method comprising,

- providing a contacts schema [col 6, lines 7-26], the contacts schema having contacts-related fields arranged into a content document with defined structures for the fields [Fig 1, 20];
- receiving a data access request directed to contact information, the request including associated identity information [Fig 3, step 51 and col 8, lines 6-18]; and
- in response to the data access request, manipulating at least one set of data in a logical contacts document that includes data therein according to the associated identity information, each set of data in the logical contacts document structured to correspond to a field in the content document [Fig 3, step 54]

Claim 2:

Tietjen discloses wherein manipulating at least one set of data comprises reading data from at least one field in the logical contacts document [Fig 3, step 53, col 8, lines 51-64]

Claim 3:

Tietjen discloses wherein manipulating at least one set of data comprises writing data to at least one field in the logical contacts document [Fig 3, step 53, col 8, lines 51-64].

Claim 4:

Tietjen discloses a method comprising, receiving a request to retrieve contacts data [Fig 3, step 51], the request including associated identity information; reading [Fig 3, step 53] from a data store to obtain contacts data based on the associated identity information; constructing a contacts document including at least part of the data, the document arranged according to a defined schema for contacts data; and returning the document in response to the request [Fig 3, steps 53-57]

Claim 5:

Tietjen discloses the wherein the schema includes at least one defined field for extending the schema [Fig 3, step 57, col 9, lines 38-55].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Pat No.6,308,273 issued to Goertzel et al discloses a network security system wherein access to the network resources is based on information that includes the location of the connecting user.

Art Unit: 2171

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

5/3/2004

